

# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

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September 13, 2010

TO: Internal File

THRU: Daron Haddock, Permit Supervisor *DH*

FROM: Ingrid Campbell, Team Lead, Environmental Scientist II *IC*

RE: Incidental Boundary Change, West Ridge Resources, West Ridge Mine, Permit # C/007/0041 and Project #3608

### SUMMARY:

On August 30, 2010, the Division received an amendment from West Ridge Resources for an incidental boundary change (IBC) for the West Ridge Mine permit area. The IBC application was submitted as a result of the newly-acquired Penta Creek Fee Lease Extension. This application would increase the permit area by 20.3 acres.

This application is recommended for approval.

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**RIGHT OF ENTRY**

Regulatory Reference: 30 CFR 778.15; R645-301-114

**Analysis:**

The Permittee updated the Right of Entry information to include the correct private fee land acreage held be West Ridge of 734.44 acres. On page 1-6, the permittee changed the permit area description to include a total of 145.22 acres of the Penta Creek Fee Coal Lease.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

**PERMIT TERM**

Regulatory References: 30 CFR 778.17; R645-301-116.

**Analysis:**

The Division renewed the permit for the West Ridge Mine on April 1, 2009. The permit will expire on April 1, 2014.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

## ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

## HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.12; R645-301-411.

### Analysis:

A Cultural resources report was conducted by Senco-Phenix archeological consultants in 2010 and submitted to the Division in a previous amendment, Incidental Boundary Change task 3583. The report was incorporated into the MRP on July 27, 2010. The class III survey identified three sites that may be eligible for listing in the National Historic Register pending re-examination. None of these sites, however, were located on or adjacent to the incidental boundary change area. The sites are shown on Map 4-2, Archeology Map. Site 42CB-317 may have to be re-examined for eligibility if the permittee applies with the Division to mine the "extended reserves" shown on Map 4-5B Mining Projections, Extended Reserves.

### Findings:

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

## VEGETATION RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.19; R645-301-320.

### Analysis:

Site specific resource information on vegetation is not required because no surface affects from mining are anticipated. Mining will occur at depths of over 3000'. The permittee updated map 3-1, General Vegetation Communities to include the IBC area. The added IBC area contains mountain brush/sagebrush and Douglas fir vegetation communities.

### Findings:

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

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## FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 784.21; R645-301-322.

### Analysis:

Site specific resource information on fish and wildlife resources information is not required because no surface affects from mining are anticipated. The following maps have been updated to include the IBC area:

- Map 3-4A, Raptor Survey. No raptor nests have been located in previous surveys in the IBC area.
- Map 3-4B, Deer Range. The IBC area contains critical summer range for deer.
- Map 3-4C, Elk Range. The IBC area contains Year long high value habitat for Elk.
- Map 3-4D, Antelope Range. The IBC area does not contain designated habitat for Antelope.

### Findings:

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

## LAND-USE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.22; R645-301-411.

### Analysis:

No surface impacts from mining are anticipated. Therefore, the land use should not be affected by mining. The permittee provided an updated copy of Map 4-1, Existing Land Use to include the IBC area. The IBC area is located in a non-allotted (grazing) area. The land is used solely for wildlife habitat.

### Findings:

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

**RECOMMENDATIONS:**

The incidental boundary change is recommended for approval.

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